

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 267 - SB 1222**

March 23, 2023

**SUMMARY OF BILL:** Authorizes a juvenile court to order a child who has requested the expunction of juvenile court records to undergo a mental health evaluation and use the evaluation results to assist in determining whether expunction would serve the best interest of the child and the community.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 37-1-153(f)(1), a juvenile court is authorized to order all or any portion of a requested expunction of court files and juvenile records for any person who is tried and adjudicated delinquent or unruly by a juvenile court and the court finds, by clear and convincing evidence, the person meets outlined criteria, including that the expunction is in the best interest of the child and the community.
- The proposed legislation authorizes the juvenile court to order a mental health evaluation to help determine if expunction of such records is in the best interest of the child and the community.
- Pursuant to Tenn. Code Ann. § 37-1-150(a)(1), the cost of outpatient mental health evaluations ordered by a court for a child are the responsibility of the state.
- It is reasonably assumed there will not be a significant change in the number of juveniles who would be required to receive a mental health evaluation to assist a court in determining whether expunction would serve the best interest of the child and the community; therefore, any fiscal impact to state or local government is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 37-1-153(f)(4)-(5), expunction of a juvenile record for cases in which there is a successful completion of a pretrial diversion or a judicial diversion are at no cost to the child.
- There will not be a significant change in the number of expunctions for juvenile court records as a result of the proposed legislation.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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